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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,015	12/04/2001	Bruce L. Johnson	10013403-1	7972

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HEWLETT-PACKARD COMPANY
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EXAMINER

LAM, ANDREW H

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/000,015

Applicant(s)

JOHNSON ET AL.

Examiner

Andrew H. Lam

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/16/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Klosterman et al (U.S. 6801330).

Regarding claim 1, Klosterman discloses a method for selecting a print driver comprising: receiving information corresponding to a print task (col. 1, line15, printer drivers receive information from application), wherein the print task exhibits a document type (col. 2, application 8 is any application that uses a device drivers, see fig. 1); determining the document type for the print task (fig. 2, searching index for application 26); and selecting a page description language driver based upon the document type that is to be used to convert the information corresponding to the print task such that after conversion the information corresponding to the print task exhibits the page description language selected (col. 1, lines 38-39, the page description language (PDL) assigned to the application is selected for use by the device driver).

Regarding claim 2, Klosterman discloses the method of claim 1, further comprising: converting the information corresponding to the print task using the page description language driver (fig. 2, select PDL assigned to application 32).

Regarding claim 3, Klosterman discloses the method of claim 2, further comprising: sending the information corresponding to the print task having the page description language to a printer (col. 1, lines 16-17, once the print driver converts the application to the corresponding PDL it can communicate with printer--it is known in the art that print data (application i.e. Adobe graphics applications) needs to be converted (using print driver) into PDL data stream so that the printer can understand how to print the print task).

Regarding claim 4, Klosterman discloses the method of claim 1, wherein determining a page description language driver includes: determining the page description language driver to convert the information corresponding to the print task based upon pre-determined relationships (col. 2, lines 24-25, application 8 is either discovered 24 by device driver 10 or, alternatively, by some other element, see fig. 2); and selecting the page description language driver that corresponds to the page description language (col. 2, line 27, PDL 12 assigned to application 8 is selected for use by device driver 10, see fig. 2).

Regarding claim 5, Klosterman discloses the method of claim 4, wherein determining the page description language driver to convert the information corresponding to the print task based upon pre-determined (col. 2, lines 15-16, stored within Index 14 is at least one assignment 16 of a PDL 12 to an application 8, see fig. 1)

Art Unit: 2624

relationships, includes: selecting a Postscript page description language driver if the document type is an Adobe type document (col. 2, line 27, PDL 12 assigned to application 8 is selected for use by device driver 10, see fig. 2--it is known in the art that PDL is a printer machine language used to specify and control the content and format of printed pages. Examples of PDLs are Postscript, PCL, PCL-5, PCL-XL, HPGL, etc...Therefore, postscript is taken into consideration as the PDL type claimed).

Regarding claim 6, Klosterman discloses the method of claim 4, wherein determining the page description language driver to convert the information corresponding to the print task based upon pre-determined relationships, includes: selecting a PCL-5 page description language driver if the document type is selected from a forms type document and a legacy type document (col. 2, line 27, PDL 12 assigned to application 8 is selected for use by device driver 10, see fig. 2--it is known in the art that PDL is a printer machine language used to specify and control the content and format of printed pages. Examples of PDLs are Postscript, PCL, PCL-5, PCL-XL, HPGL, etc...Therefore, PCL-5 is taken into consideration as the PDL type claimed).

Regarding claim 7, Klosterman discloses the method of claim 4, wherein determining the page description language driver to convert the information corresponding to the print task based upon pre-determined relationships, includes: selecting a PCL-XL page description language driver if the document type is selected from a Microsoft-Word type document, Microsoft-Excel type document, and a Visio type document (col. 2, line 27, PDL 12 assigned to application 8 is selected for use by device driver 10, see fig. 2--it is known in the art that PDL is a printer machine language used

Art Unit: 2624

to specify and control the content and format of printed pages. Examples of PDLs are Postscript, PCL, PCL-5, PCL-XL, HPGL, etc...Therefore, PCL-XL is taken into consideration as the PDL type claimed).

Regarding claim 8, Klosterman discloses the method of claim 1, wherein determining a page description language driver includes: selecting the page description language driver that results in the shortest print time for the information corresponding to the print task (col. 1, lines 24-25, application are tailored to or simply work best with a particular PDL).

Regarding claim 9, Klosterman discloses an adaptive print driver system (fig. 1, system for selecting a PDL type for use by the device driver), comprising: a page description language driver selection system configured to receive information corresponding to a print task (col. 1, line 15, printer drivers receive information from application), wherein the print task has a document type (col. 2, application 8 is any application that uses a device drivers, see fig. 1); configured to determine the document type for the print task (fig. 2, searching index for application 26); and configured to determine a page description language driver based upon the document type that is to be used to convert the information corresponding to the print task to information corresponding to the print task exhibiting the page description language (col. 1, lines 38-39, the page description language (PDL) assigned to the application is selected for use by the device driver).

Regarding claim 10, Klosterman discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 9, further comprising: at least one page

Art Unit: 2624

description language driver configured to convert the information corresponding to the print task to information corresponding to the print task exhibiting a page description language (fig. 2, select PDL assigned to application 32).

Regarding claim 11, Klosterman discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, wherein the at least one page description language driver is selected from a PCL-5e driver, HPGL driver, PCL-3 driver, PCL-5c driver, PCL-XL driver, and a Postscript driver (col. 2, line 27, PDL 12 assigned to application 8 is selected for use by device driver 10, see fig. 2--it is known in the art that PDL is a printer machine language used to specify and control the content and format of printed pages. Examples of PDLs are Postscript, PCL, PCL-5, PCL-XL, HPGL, etc...Therefore, postscript is taken into consideration as the PDL type claimed).

Regarding claim 12, Klosterman discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, wherein the page description language driver is configured to send the information corresponding to the print task exhibiting the page description language to a printer (col. 1, lines 16-17, once the print driver converts the application to the corresponding PDL it can communicate with printer--it is known in the art that print data (application i.e. Adobe graphics applications) needs to be converted (using print driver) into PDL data stream so that the printer can understand how to print the print task).

Regarding claim 13, Klosterman discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, wherein the page description language driver is configured to determine the page description language to convert the

Art Unit: 2624

information corresponding to the print task based upon pre-determined relationships (col. 2, lines 24-25, application 8 is either discovered 24 by device driver 10 or, alternatively, by some other element, see fig. 2) and is configured to select the page description language driver that corresponds to the page description language (col. 2, line 27, PDL 12 assigned to application 8 is selected for use by device driver 10, see fig. 2).

Regarding claim 14, Klosterman discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, further comprising: means (fig. 1, driver 10) for receiving information corresponding to a print task (col. 1, line 15, printer drivers receive information from application), wherein the print task has a document type (col. 2, application 8 is any application that uses a device drivers, see fig. 1); means (fig. 1, index 14) for determining the document type for the print task (fig. 2, searching index for application 26); means (fig. 1, driver 10) for determining a page description language driver based upon the document type that is to be used to convert the information corresponding to the print task to information corresponding to the print task exhibiting the page description language (col. 1, lines 38-39, the page description language (PDL) assigned to the application is selected for use by the device driver).

Regarding claim 15, Klosterman discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, further comprising: means (fig. 1, driver 10) for converting the information corresponding to the print task using the page description language driver (col. 1, lines 38-39, the page description language (PDL) assigned to the application is selected for use by the device driver).

Art Unit: 2624

Regarding claim 16, Klosterman discloses the system (fig. 1, system for selecting a PDL type for use by the device driver) of claim 10, wherein the page description language driver selection system is implemented in a printer (col. 1, lines 16-17, once the print driver converts the application to the corresponding PDL it can communicate with printer--it is known in the art that print data (application i.e. Adobe graphics applications) needs to be converted (using print driver) into PDL data stream so that the printer can understand how to print the print task).

Regarding claim 17, Klosterman discloses the system of claim 10, wherein the page description language driver selection system is implemented in a computer (col. 1, line 66, host system 2, is a general purpose computer for selecting PDL driver for converting application into PDL data stream, see fig. 1).

Regarding claim 18, Klosterman discloses a computer readable medium (col. 2, line 12, storage 8 can be magnetic, optical, or electronic storage media) for use in a computer system (fig. 1, host system 2 is a general purpose computer for selecting PDL driver for converting application into PDL data stream, see fig. 1) for selecting a print driver, said computer readable medium comprising: logic (fig. 1, driver 10) configured to enable information corresponding to a print task to be received (col. 1, line 15, printer drivers receive information from application); logic (fig. 1, driver 10) configured to enable a document type for the print task to be determined (fig. 2, searching index for application 26); and logic (fig. 1, driver 10) configured to enable a page description language driver to be determined based upon the document type that is to be used to convert the information corresponding to the print task to information

Art Unit: 2624

corresponding to the print task having the page description language (col. 1, lines 38-39, the page description language (PDL) assigned to the application is selected for use by the device driver).

Regarding claim 19, Klosterman discloses the computer readable medium (col. 2, line 12, storage 8 can be magnetic, optical, or electronic storage media) of claim 18, further comprising: logic (fig. 1, driver 10) configured to enable information corresponding to the print task to be converted using the page description language driver (col. 1, lines 38-39, the page description language (PDL) assigned to the application is selected for use by the device driver).

Regarding claim 20, Klosterman discloses the computer readable medium (col. 2, line 12, storage 8 can be magnetic, optical, or electronic storage media) of claim 18, further comprising: logic (fig. 1, driver 10) configured to enable the information corresponding to the print task having the page description language to be sent to a printer (col. 1, lines 16-17, once the print driver converts the application to the corresponding PDL it can communicate with printer--it is known in the art that print data (application i.e. Adobe graphics applications) needs to be converted (using print driver) into PDL data stream so that the printer can understand how to print the print task).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew H. Lam whose telephone number is (571) 272-8569. The examiner can normally be reached on M-F (9:30-6:00).

Art Unit: 2624

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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